

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THERAPY PRODUCTS, INC.
d/b/a ERCHONIA MEDICAL,

Plaintiff,

v.

LIONEL BISSOON, M.D.
d/b/a MESOTHERAPIE & ESTETIK,
MERIDIAN AMERICA MEDICALS, INC.
MERIDIAN MEDICAL INC., and
MERIDIAN CO., LTD.,

Defendants.

07 Civ. 8696 (DLC)

**NOTICE OF MOTION AND MOTION FOR AWARD OF COSTS, FEES
AND STAY OF PROCEEDINGS PURSUANT TO FED. RULE CIV. P. 41(d)**

PLEASE TAKE NOTICE that defendant Meridian Co., Ltd. (“Meridian Co.”) hereby moves this Court, pursuant to Rule 41(d) of the Federal Rules of Civil Procedure, for an order granting Meridian Co. an award of its costs, including attorneys’ fees, incurred in defending a prior action instituted by plaintiff Therapy Products, Inc., d/b/a Erchonia Medical (“Erchonia”) in the United State District Court for the Northern District of Texas. Further, pursuant to Rule 41(d) of the Federal Rules of Civil Procedure, defendants Lionel Bissoon, Meridian America Medical Inc., Meridian Medical Inc., and Meridian Co. (collectively “Defendants”), seek a stay of the current proceedings until Plaintiff pays Meridian Co. for such costs and fees.

Defendants’ motion is supported by the facts, points, and authorities set forth in the accompanying memorandum of law and the Declaration of Raymond Castello, Esq..

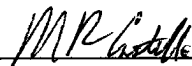
PLEASE TAKE FURTHER NOTICE that pursuant to Local Civil Rules 6.1 and 6.4, Opposition papers to the instant motion are to be filed and served no later than Monday, July 28,

2008. All papers in reply to the motion shall be served and filed no later than Monday, August 4, 2008. The Court will determine whether there will be oral argument on the motion before Judge Denise L. Cote of the United States District Court, Southern District of New York, Courtroom 11B, 500 Pearl Street, New York, New York 10007.

Respectfully submitted,

FISH & RICHARDSON P.C.

Dated: July 14, 2008

By: 
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